

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
	)	
Emmis Radio License Corporation	)	File Nos. EB-01-IH-0124, EB-01-IH-0319,
	)	and EB-01-IH-0408
Licensee of Station WKQX(FM),	)	NAL/Acct. No. 200232080008
Chicago, Illinois	)	FRN 0001-5293-46
	)	Facility ID # 19525
	)	

**NOTICE OF APPARENT LIABILITY FOR FORFEITURE**

**Adopted:** March 20, 2002

**Released:** March 21, 2002

By the Chief, Enforcement Bureau:

**I. INTRODUCTION**

1. In this Notice of Apparent Liability for Forfeiture (“NAL”), we find that Emmis Radio License Corporation (“Emmis”), licensee of Station WKQX(FM), Chicago, Illinois, apparently violated 18 U.S.C. § 1464 and 47 C.F.R. § 73.3999, by willfully and repeatedly broadcasting indecent language on three occasions. *See* Attachment. Based upon our review of the facts and circumstances in this case, we conclude that Emmis is apparently liable for a forfeiture in the amount of twenty-one thousand dollars (\$21,000).

**II. BACKGROUND**

2. The Commission received complaints that WKQX(FM) broadcast indecent material on March 6, 2001, March 7, 2001 and May 17, 2001 between 8:00 a.m. and 9:00 a.m. during the “*Mancow’s Morning Madhouse*” (“*Mancow*”) program. The complainant submitted a tape of each of the *Mancow* programs containing the allegedly indecent material. After reviewing the complainant’s tapes, we issued letters of inquiry to the licensee that included transcripts of the tapes submitted by the complainant. *See* Attachment.<sup>1</sup>

3. In its response, Emmis states that WKQX(FM) does not routinely archive tapes or transcripts of its broadcasts and did not retain tapes or transcripts of the programming aired on the dates cited in these complaints. Accordingly, Emmis states that it cannot verify the accuracy of the transcripts. Nevertheless, Emmis argues that even assuming the accuracy of the transcripts, the programming at issue is not actionably indecent. Specifically, Emmis contends that the material broadcast is not patently offensive as measured by contemporary community standards for the broadcast medium.

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<sup>1</sup> The complainant alleged that four excerpts of the March 6, 2001 *Mancow* program contained indecent material. The Attachment contains one of the complained of excerpts. We will not pursue enforcement action regarding the other three excerpts from the March 6, 2001 broadcast.

### III. DISCUSSION

4. It is a violation of federal law to broadcast obscene or indecent programming. Specifically, Title 18 of the United States Code, Section 1464 (18 U.S.C. § 1464), prohibits the utterance of “any obscene, indecent or profane language by means of radio communication.” Congress has given the Federal Communications Commission the responsibility for administratively enforcing 18 U.S.C. § 1464. In doing so, the Commission may, among other things, impose a monetary forfeiture, pursuant to Section 503(b)(1) of the Communications Act (the “Act”), 47 U.S.C. § 503(b)(1), for broadcast of indecent material in violation of 18 U.S.C. § 1464. Federal courts have upheld Congress’s authority to regulate obscene speech and, to a limited extent, indecent speech. Specifically, the U.S. Supreme Court has determined that obscene speech is not entitled to First Amendment protection. Accordingly, Congress may prohibit the broadcast of obscene speech at any time.<sup>2</sup> In contrast, federal courts have held that indecent speech is protected by the First Amendment.<sup>3</sup> Nonetheless, the federal courts consistently have upheld Congress’s authority to regulate the broadcast of indecent speech, as well as the Commission’s interpretation and implementation of the statute.<sup>4</sup> However, the First Amendment is a critical constitutional limitation that demands we proceed cautiously and with appropriate restraint.<sup>5</sup> Consistent with a subsequent statute and case law,<sup>6</sup> under the Commission’s rules, no radio or television licensee shall broadcast obscene material at any time, or broadcast indecent material during the period 6 a.m. through 10 p.m. *See* 47 C.F.R. § 73.3999.

5. In enforcing its indecency rule, the Commission has defined indecent speech as language that first, in context, depicts or describes sexual or excretory organs or activities. Second, the broadcast must be “patently offensive as measured by contemporary community standards for the broadcast medium.” *Infinity Broadcasting Corporation of Pennsylvania*, 2 FCC Rcd 2705 (1987) (subsequent history omitted) (citing *Pacifica Foundation*, 56 FCC 2d 94, 98 (1975), *aff’d sub nom. FCC v. Pacifica Foundation*, 438 U.S. 726 (1978)). This definition has been specifically upheld by the federal courts.<sup>7</sup> The Commission’s

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<sup>2</sup> *See Sable Communications of California, Inc. v. FCC*, 492 U.S. 115 (1989); *Miller v. California*, 413 U.S. 15 (1973), *rehearing denied*, 414 U.S. 881 (1973).

<sup>3</sup> *Sable Communications of California, Inc. v. FCC*, *supra* note 2, 492 U.S. at 126.

<sup>4</sup> *FCC v. Pacifica Foundation*, 438 U.S. 726 (1978). *See also Action for Children’s Television v. FCC*, 852 F.2d 1332, 1339 (D.C. Cir. 1988) (“*ACT I*”); *Action for Children’s Television v. FCC*, 932 F.2d 1504, 1508 (D.C. Cir. 1991), *cert denied*, 112 S.Ct. 1282 (1992) (“*ACT II*”); *Action for Children’s Television v. FCC*, 58 F.3d 654 (D.C. Cir. 1995), *cert denied*, 116 S.Ct. 701 (1996) (“*ACT III*”).

<sup>5</sup> *ACT I*, *supra* note 4, 852 F.2d at 1344 (“Broadcast material that is indecent but not obscene is protected by the first amendment; the FCC may regulate such material only with due respect for the high value our Constitution places on freedom and choice in what people say and hear.”). *See also United States v. Playboy Entertainment Group, Inc.*, 529 U.S. 803, 813-15 (2000).

<sup>6</sup> Public Telecommunications Act of 1992, Pub. L. No. 356, 102<sup>nd</sup> Cong., 2<sup>nd</sup> Sess. (1992); *ACT III*, *supra* note 4.

<sup>7</sup> In *FCC v. Pacifica Foundation*, the Court quoted the Commission’s definition of indecency with apparent approval. *FCC v. Pacifica Foundation*, *supra* note 4, 438 U.S. at 732. In addition, the D.C. Circuit (continued....)

authority to restrict the broadcast of indecent material extends to times when there is a reasonable risk that children may be in the audience. *ACT I, supra*. As noted above, current law holds that such times begin at 6 a.m. and conclude at 10 p.m.<sup>8</sup>

6. The Commission's indecency enforcement is based on complaints from the public. Once a complaint is before the Commission, we evaluate the facts of the particular case and apply the standards developed through Commission case law and upheld by the courts. *See Industry Guidance on the Commission's Case Law Interpreting 18 U.S.C. § 1464 and Enforcement Policies Regarding Broadcast Indecency* ("Indecency Policy Statement"), 16 FCC Rcd 7999 at 8015, ¶ 24. "Given the sensitive nature of these cases and the critical role of context in an indecency determination, it is important that the Commission be afforded as full a record as possible to evaluate allegations of indecent programming." *Id.* In evaluating the record to determine whether the complained of material is patently offensive, three factors are particularly relevant: (1) the explicitness or graphic nature of the description; (2) whether the material dwells on or repeats at length descriptions of sexual or excretory organs or activities; and (3) whether the material appears to pander or is used to titillate or shock. *See Indecency Policy Statement, supra*, 16 FCC Rcd at 8003 ¶ 10.

7. The material in each of these three complaints, in context, refers to sexual organs and activity, and thus warrants scrutiny. *See Attachment*. We find that the material, in context, is patently offensive when considered under the three factors set out in the *Indecency Policy Statement*.

8. The first key factor concerns whether the material is explicit or graphic. The March 7, 2001 broadcast concerns the use of a sexual stimulant by a female cast member as well as her appearance in a video, and includes explicit and graphic references to sexual organs and activities. This material is similar to other material with graphic and explicit sexual references that has been found indecent.<sup>9</sup> The material broadcast on March 6, 2001 is a discussion of sexual and excretory responses to viewing pornography and contains sexual references that rely on innuendo. Likewise, the sexual references in the material broadcast on May 17, 2001 – a discussion by a female cast member and a number of women guests in the "lava lamp love lounge"- relies in part on innuendo. Emmis argues that because the March 6 broadcast relies on innuendo, the sexual import of the material is "not even immediately apparent." Emmis also argues that this material is vague and oblique and therefore less explicit than broadcasts in which no enforcement action was taken.<sup>10</sup>

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Court of Appeals upheld the definition against constitutional challenges. *ACT I, supra* note 4, 852 F.2d at 1339; *ACT II, supra* note 4, 932 F.2d at 1508; *ACT III, supra* note 4, 58 F.3d at 657.

<sup>8</sup> *ACT III, supra* note 4.

<sup>9</sup> *See, e.g., Communicast Consultants, Inc. (KRXX(AM))*, 15 FCC Rcd 18730, *aff'd* 15 FCC Rcd 19697 (EB 2000).

<sup>10</sup> Emmis cites the following Mass Media Bureau actions: *Letter from Chief, Complaints and Political Programming Branch, Enforcement Division, to Mrs. Barbara Onisko*, 8310-TRW (May 15, 1997); Memorandum to WIOD(AM) Complaint File (Control No. 97010196); *Letter from Chief, Complaints and Political Programming Branch, to Mr. R.D. Merkel*, 8310-TRW (Jan. 23, 1997). In addition, Emmis cites the Enforcement Bureau's actions dismissing complaints alleging the broadcast of indecent material. *See Letter from Chief, Investigations and Hearings Division to Anne Shapleigh, complaint against KLOU(FM), EB-00-IH-0350* (Feb. 7, 2001); *Press Statement of Gloria Tristani re: Enforcement Bureau Letter Ruling on KLOU(FM), St. Louis, Missouri Indecency Complaint* (Feb. 8, 2001); *Letter from Chief, Investigations and Hearings Division to* (continued....)

9. We disagree with Emmis' arguments. Although material that is more graphic is generally more likely to be found indecent, the context in which material is offered is essential to making a determination as to whether material is indecent. The Commission has repeatedly held that "innuendo may be patently offensive within the meaning of our indecency definition if it is understandable and clearly capable of a specific sexual or excretory meaning, which, in context, is inescapable."<sup>11</sup> The material broadcast on WKQX(FM) on March 6, 2001 and May 17, 2001, in context, has a sexual meaning that is unmistakable and is similar to other material found to have clearly understandable sexual references.<sup>12</sup>

10. The second key factor is whether there is repetition of and persistent focus on the sexual references. The complained of material broadcast on March 6, 2001 dwells on sexual innuendo, including references to oral sex, male and female genitalia, masturbation, ejaculation, and excretory activities. Contrary to Emmis' argument, material with an unmistakable sexual meaning can be evaluated under this factor even if the sexual descriptions are based upon innuendo.<sup>13</sup> Emmis also argues that the excerpt in the transcript of the March 6, 2001 broadcast represents between 30 and 45 seconds of on-air discussion during the 20-minute time period cited in the complaint. However, the sexual references in the excerpt are not fleeting and the excerpt itself provides sufficient context to determine whether it is patently offensive. Under these circumstances, the fact that the excerpt cited on March 6, 2001 is a segment of a longer program is not decisionally significant.<sup>14</sup>

11. Under the second key factor, the March 7, 2001 broadcast dwells at length on sexual activity, especially with respect to the female cast member's use of a sexual stimulant and its effect on her. Moreover, the material at issue in the May 17, 2001 complaint dwells on and repeats at length descriptions of male and female genitalia, masturbation, penis size and the taste of semen.

12. The inquiry under the third key factor of the *Indecency Policy Statement* is whether the material appears to pander, or is used to titillate or shock. The complained of material broadcast on March 6, 2001, in context, appears to have been used to pander to and titillate or shock the audience and is similar to other material that has been found to be patently offensive.<sup>15</sup> The tone of the complained of

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*Michael Palko, complaint against WGR(AM), EB-00-IH-0221* (Feb.23, 2001)(the Bureau subsequently issued a letter of inquiry to the licensee in this case).

<sup>11</sup> *Citicasters Co.( KSJO(FM))*, 15 FCC Rcd 19091, 19092 (EB 2000), citing *San Francisco Century Broadcasting, L.P.*, 8 FCC Rcd 498 (1993).

<sup>12</sup> See, e.g., *Telemundo of Puerto Rico License Corp.(WKAQ-TV)*, 16 FCC Rcd 7157 (EB 2001)(forfeiture paid); *Three Eagles of Columbus, Inc. (KROR(FM))*, 15 FCC Rcd 13624, forfeiture reduced 15 FCC Rcd 18902 (EB 2000)(forfeiture paid); *Great American Television and Radio Company, Inc.(WFBQ(FM)/WNDE(AM))*, 6 FCC Rcd 3692, 3693 (MMB 1990); *Infinity Broadcasting Corporation of Pennsylvania (WYSP(FM))*, 3 FCC Rcd 930, 932 (1987).

<sup>13</sup> See, e.g. *Three Eagles of Columbus, Inc.*, supra note 12, 15 FCC Rcd at 13625 ("The cited language dwells at length on sexual innuendoes and cannot be considered fleeting").

<sup>14</sup> *Id* (rejecting argument that the complained of material was "an isolated occurrence" during one segment of a four-hour program, noting that the language was not fleeting, and dwells at length on sexual innuendo).

<sup>15</sup> See, e.g., *Telemundo of Puerto Rico*, supra note 12; *Three Eagles of Columbus, Inc.*, supra note 12.

material broadcast on March 7, 2001 is lewd, and also appears to be used to pander to and titillate or shock.<sup>16</sup>

13. With respect to the analysis of the complained of material on May 17, 2001 under the third factor, Emmis cites warnings included in the broadcast about the material, *i.e.*, “[the *Mancow* program] is a show done by adults for adults,” and warning those who are easily offended to “please turn off the radio.” Emmis argues that the presence of such warnings was found to be significant in other indecency cases. However, the cases cited by Emmis involved sexual references and the repeated use of expletives that were not used to pander to, to shock or to titillate.<sup>17</sup> Despite the warnings, the material broadcast on WKQX(FM), in context, appears to have been used to pander to and titillate or shock the audience and is similar to other material that has been found to be patently offensive.<sup>18</sup> The presence of the warnings, considering the overall context of the broadcast, is not a sufficient basis on which to conclude that the sexual references are not patently offensive.<sup>19</sup>

14. Moreover, we reject Emmis’s argument that the material broadcast on the *Mancow* program on the three dates cited in the complaints is not patently offensive as measured by contemporary community standards. In this regard, Emmis contends that “WKQX has been airing *Mancow’s Morning Madhouse*” since July of 1998, and had received no inquiries from the Commission concerning the program’s content until late last year.” Emmis also speculates that the complaints about the *Mancow* program, including the complaints at issue here, were initiated by a single individual or group whose standards do not accurately reflect those of the national community as a whole. The identity of the complainant and whether the complainant is the source of other complaints about the *Mancow* program is not material to our determination under the factors set out in the *Indecency Policy Statement*. The purpose of using “contemporary community standards” is to ensure that material is not judged by its effect on a particularly sensitive or insensitive person or group.<sup>20</sup> In this regard, looking to a national community standard that references the average broadcast listener, we find that the material broadcast on

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<sup>16</sup> See, e.g., *Citicasters Co.(KEGL(FM))*, 16 FCC Rcd 7546 (EB 2001)(forfeiture paid); *Communicast Consultants, Inc.(KRXR(AM))*, *supra* note 9; *Citicasters Co.(WXTB(FM))*, 13 FCC Rcd 15381 (MMB 1998)(forfeiture paid).

<sup>17</sup> Emmis cites the *Indecency Policy Statement*, *supra*, 16 FCC Rcd at 8011-12, and the discussion of *Peter Branton*, 6 FCC Rcd 610 (1991)(subsequent history omitted)(explicit language, including the repeated use of the words “fuck” or “fucking” in a wiretap of a telephone conversation, was integral part of bona fide news story and not gratuitous, pandering, titillating or otherwise patently offensive) and the Letter from Chief, Complaints and Investigations Branch, Enforcement Division, Mass Media Bureau to Chris Giglio (July 20, 1994)(Oprah Winfrey Show (“How to Make Romantic Relations with Your Mate Better”)).

<sup>18</sup> See, e.g., *Citicasters Co.(KEGL(FM))*, *supra* note 16; *Three Eagles of Columbus, Inc.*, *supra* note 12; *Goodrich Broadcasting, Inc. (WVIC-FM)*, 6 FCC Rcd 2178, *aff’d* 6 FCC Rcd 7484 (MMB 1991); *KFI, Inc.(KFI(AM))*, 6 FCC Rcd 3699, 3700 (MMB 1989).

<sup>19</sup> *Citicasters Co.* *supra* note 16, 16 FCC Rcd at 7547, *citing Station KGVV, Inc.*, 42 FCC 2d 258, 259 (1973).

<sup>20</sup> *Infinity Broadcasting Corporation of Pennsylvania (WYSP(FM))*, 3 FCC Rcd 930, 933 (1987) *citing Hamling v. United States*, 418 U.S. 87, 107 (1974).

WKQX(FM), in context, is patently offensive.<sup>21</sup> Emmis does not dispute that the complained of material was broadcast when there was a reasonable risk that children may have been in the audience. By broadcasting this material on three separate occasions – on March 6, 2001, March 7, 2001, and May 17, 2001- WKQX(FM) apparently violated the prohibitions against broadcast indecency.

15. Section 503(b) of the Act, 47 U.S.C. § 503(b), and section 1.80(a) of the Commission's rules, 47 C.F.R § 1.80, both state that any person who willfully or repeatedly fails to comply with the provisions of the Act or the rules shall be liable for a forfeiture penalty. For purposes of section 503(b) of the Act, the term "willful" means that the violator knew it was taking the action in question, irrespective of any intent to violate the Commission's rules., and "repeatedly" means more than once.<sup>22</sup> Based on the material before us, it appears that Emmis willfully and repeatedly violated 18 U.S.C. § 1464 and section 73.3999 of the Commission's rules, by airing indecent programming on WKQX(FM) on March 6, 2001, March 7, 2001 and March 17, 2001.

16. The Commission's *Forfeiture Policy Statement* sets a base forfeiture amount of \$7,000 for transmission of indecent/obscene materials.<sup>23</sup> The *Forfeiture Policy Statement* also specifies that the Commission shall adjust a forfeiture based upon consideration of the factors enumerated in section 503(b)(2)(D) of the Act, 47 U.S.C. § 503(b)(2)(D), such as "the nature, circumstances, extent and gravity of the violation, and, with respect to the violator, the degree of culpability, any history of prior offenses, ability to pay, and such other matters as justice may require."<sup>24</sup> After reviewing all of the circumstances, we believe a \$21,000 forfeiture is appropriate in this case for the apparent broadcast of indecent material on three separate occasions.

#### IV. ORDERING CLAUSES

17. ACCORDINGLY, IT IS ORDERED, pursuant to section 503(b) of the Communications Act of 1934, as amended, and Sections 0.111, 0.311, and 1.80 of the Commission's rules,<sup>25</sup> that Emmis Radio License Corporation is hereby NOTIFIED of its APPARENT LIABILITY FOR FORFEITURE in the amount of twenty-one thousand dollars (\$21,000) for willfully and repeatedly violating 18 U.S.C. § 1464 and section 73.3999 of the Commission's rules.

18. IT IS FURTHER ORDERED, pursuant to section 1.80 of the Commission's rules, that within thirty days of the release of this Notice, Emmis SHALL PAY the full amount of the proposed forfeiture or SHALL FILE a written statement seeking reduction or cancellation of the proposed

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<sup>21</sup> See, e.g., *WQAM License Limited Partnership(WQAM(AM))*, 15 FCC Rcd 2518, 2520 (2000)(explaining that the Commission uses its expertise to apply a national community standard that references the average broadcast viewer or listener). See also, *Indecency Policy Statement, supra*, 16 FCC Rcd at 8002 note 15.

<sup>22</sup> See *Southern California Broadcasting Co.*, 6 FCC Rcd 4387 (1991).

<sup>23</sup> *The Commission's Forfeiture Policy Statement and Amendment of Section 1.80 of the Rules to Incorporate the Forfeiture Guidelines*, 12 FCC Rcd 17087, 17113 (1997), recon. denied 15 FCC Rcd 303 (1999) (*Forfeiture Policy Statement*); 47 C.F.R. § 1.80(b).

<sup>24</sup> *Forfeiture Policy Statement*, 12 FCC Rcd at 17110.

<sup>25</sup> 47 C.F.R. §§ 0.111, 0.311 and 1.80.

forfeiture.

19. Payment of the forfeiture may be made by mailing a check or similar instrument, payable to the order of the Federal Communications Commission, to the Forfeiture Collection Section, Finance Branch, Federal Communications Commission, P.O. Box 73482, Chicago, Illinois 60673-7482. The payment MUST INCLUDE the FCC Registration Number (FRN) referenced above and also should note the NAL/Acct. No. referenced above.

20. The response, if any, must be mailed to Charles W. Kelley, Chief, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, 445 12<sup>th</sup> Street, S.W., Room 3-B443, Washington DC 20554 and MUST INCLUDE the NAL/Acct. No. referenced above.

21. The Commission will not consider reducing or canceling a forfeiture in response to a claim of inability to pay unless the respondent submits: (1) federal tax returns for the most recent three-year period; (2) financial statements prepared according to generally accepted accounting practices (“GAAP”); or (3) some other reliable and objective documentation that accurately reflects the respondent’s current financial status. Any claim of inability to pay must specifically identify the basis for the claim by reference to the financial documentation submitted.

22. Requests for payment of the full amount of this Notice of Apparent Liability under an installment plan should be sent to: Chief, Revenue and Receivables Operations Group, 445 12th Street, S.W., Washington, D.C. 20554.<sup>26</sup>

23. IT IS FURTHER ORDERED that a copy of this Notice shall be sent, by Certified Mail/Return Receipt Requested, to J. Scott Enright, Vice President, Associate General Counsel and Assistant Secretary, Emmis Radio License Corporation, 40 Monument Circle, Indianapolis, Indiana 46204 and to Emmis’s counsel, Eve J. Klindera, Esq., Wiley Rein & Fielding LLP, 1776 K Street, N.W., Washington, D.C. 20006.

FEDERAL COMMUNICATIONS COMMISSION

David H. Solomon  
Chief, Enforcement Bureau

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<sup>26</sup> See 47 C.F.R. § 1.1914.

**ATTACHMENT**

EB-01-IH-0319

Radio Station: WKQX(FM), Chicago, Illinois  
Date/Time Broadcast: March 6, 2001, between 8:05 a.m and 8:25 a.m.  
Material Broadcast: Mancow's Morning Madhouse

The Yelling Guy (Y)

Y: Hey this is Anger Anderson, the yelling guy and I want to talk about how my spunk-a-thons are always killed by manly mugs. When I flog my beef stick while watching some pink in a porno, I don't wanna see some guy's face, seriously people am I right? Guys in pornos are butt ugly, and right when I'm ready to shoot airborne like number 23 in his heyday, I gotta see some porno dude's face. God, the guys in pornos look like they want to kill these broads. Their faces are so contorted they look like they just smelled a fart, you know the kind of fart right after you've eaten chimichangas, and right before you take a big sh- (beep to cover the word "shit"). Focus on the girl, I don't want to see shaved porno guy luggage either. Show me the pink and all the porno guys are just dripping sweat. Hell, I don't like to work that hard when I box-bang. Oh, also I don't like those endless shots of girls smoking pole. It makes me feel like a homo, get to the sex and keep the camera on the pink, Spielberg.

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EB-01-IH-0124

Radio Station: WKQX(FM), Chicago, Illinois  
Date/Time Broadcast: March 7, 2001, between 8:00 a.m and 8:46 a.m.  
Material Broadcast: Mancow's Morning Madhouse

M: Mancow

FV1: Female Guest

FV2: Female Cast Member

MV1: First Male Cast Member

MV2: Second Male Cast Member

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M: Alright listen. Yeah, that's right. Yeah. I see his point. Let's go to Laurie. Laurie, Hello.

FV1: How are you?

M: Hi Laurie. Is this stuff legal?

FV1: Yes it is.

M: Okay. Here's what I want you to do.

FV1: Yeah.

M: Not you, Laurie. Prison Bitch (First Male Cast Member) I want you to go over there and I want you just to rub, rub her bottom.

MV1 : Alright.

FV2: Oh no, oh my gosh.

MV2: How does he get the good jobs here?

M: Is it okay? Does he have permission to rub your bottom?

FV2: Yeah. I suppose he has permission. Woah.

MV2: All those months of smelling your finger it's finally paid off for you.

MV1: Which hand?

M: Okay. Use both hands. Just stand behind her and just kind of rub her a little. How many of these bottles have you had?

FV2: I've had two. Woah. Oh my gosh.

M: Is it like ecstasy? Have you done "ex" before?

FV2: Mancow, I've never done ex before but...

M: Now be serious.

FV2: I'm feeling this constant rush.

M: Okay.

FV2: Honestly.

M: Well, is it possible that it is just packed with caffeine? What are you doing? Rub her ass.

MV1: I'm rubbing.

[Background laughter]

FV2: He is rubbing.

MV2: He's doin' it. He is doin' it.

FV2: [Laughing]. Oh my gosh...

M: And you don't stop. By the way that's the greatest... Do you want me to show you how to rub it?

MV2: He's rubbing her ass like it's his husband Robert in front of him.

MV1: Yeah.

M: Yeah they're in the prison cell, Prison Bitch. Yeah.

[FV2 laughing]

FV2: No, but seriously this really works. I'm feeling Duncan Hines right now.

M: Now wait, you're feeling wet and gooey?

FV2: Yes.

M: Is it possible...

FV2: Yeah.

M: Is it possible that it's psychosomatic? Well let me tell you the drink is called "Niagra." We've heard a lot about this and uh other women have told me that it works. What are you doing?

FV2: [laughing such that what she is saying is unintelligible].

MV2: He's rubbing her butt.

M: Don't stop, don't stop dude.

FV2: Really I think that I have to go home and take care of this problem right now.

M: Can he rub up front a little bit?

FV2: [laughing] I don't know about that.

M: Listen. Listen. Let me say something to you. Hey little girl...

MV2: That doesn't sound like a "no" to me.

M: You can see what she looks like at Mancow.com. Can I just say something to you little girl?

FV2: Yeah Mancow.

M: Don't think it's the ugly big nosed dork behind you. Just imagine it's me right there.

FV2: Okay. Why can't it be you?

M: Close your eyes.

FV2: Okay.

M: When was the last time that you had some action?

FV2: Um, actually last night, Mancow. Um my a boyfriend -I'm not very sexually experienced you know- and my boyfriend, he wanted to get me up to two fingers but I was kind of reluctant. And um he did it. And uh it was incredible. But um I had some of this Niagra stuff and I was pretty moist and um...

M: Okay. All right, all right. You must have just gotten out of the shower. Your whole body was wet.

FV2: Right.

M: Seriously, do you really think it's real or is it psychosomatic?

FV2: No, Mancow.

M: How nice is that ass?

MV2: That's a nice ass.

MV1: Okay, wait a minute. Look, look...

[Laughter]

M: He's got a woody. He's got a woody. Prison Bitch has a woody. Prison Bitch has a woody.

FV2: No he doesn't ...

MV1: I do too.

M: But how could you not ? How could you not? How could you not? How could you not? How

could you not?

MV2: But you're saying is this stuff for real. Look at Prison Bitch's face. He looks like... He looks like that Gonzo from the muppets. Look at that nose on him. There's no way that you could get turned on by him normally.

FV2: Seriously, I think that this stuff really does work.

M: Laurie, Laurie is the creator of a of Niagra.

MV2: He's slapping her ass. He's spanking her.

M: Don't slap it, rub it nice.

FV2: He's getting violent.

M: Laurie, Laurie, talk to me about this stuff.

FV1: Yes. This is a herb drink that comes from Sweden and it's got the main ingredient that is a sexual stimulant for the women is the domiana amate.

M: Those were uh two people that were on "Survivor" several years ago.

FV1: Exactly. [Laughs].

M: And uh, talk to me about this. Okay. So, so it really does work?

FV1: Yes it does work.

M: How can people get this stuff?

FV1: Okay. Right now we are the national distributors for the United States, Canada...

M: Gotcha. How can they get it?

FV1: They can call our number at (501) xxx- xxxx.

M: How many uh drinks does it take before uh a stranger be willing to open her legs for me?

FV1: Uh, one drink and within twenty minutes you'll feel it in your body.

FV2: That's true. Right after twenty minutes...

MV2: She just raised her hand when you said that.

FV2: Exactly. Right after twenty minutes I was just feeling it.

FV1: Right.

FV2: I was feeling so excited and invigorated. It was amazing.

M: When you say excited are you talking about in a uh sexual way?

FV2: In a sexual way, Mancow. I mean, I felt it.

M: Well let me tell you something. I haven't had a sip of this stuff and I am... I'm turned on right now. 'Cause you got, you got a hot little body. She does have a great body.

MV2: I'm turned on just by seeing Prison Bitch with wood.

MV1: She's got a smokin' little can.

M: What? What?

MV1: Your can smokes.

FV2: Thanks, Prison Bitch. I appreciate that.

M: She's got a smokin' ass.

MV1: She's got a smokin' little can.

FV2: And he's still rubbing my butt.

M: Yeah. Keep rubbing it.

FV2: Get him to rub something else.

MV1: See these real hands. We're making real love

[Music]

Who are you?

My name is Kucky, Kucky Galore  
My name is Kucky, Kucky Galore

M: Look at her giggling, leaning forward. Her face all flushed. Oh, I want me some of that.

[Music]

Who are you?  
My name is Kucky, Kucky Galore.  
My name is Kucky, Kucky Galore.

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[Back to the dialogue with FV2, who drank "Niagra."]

M: So you did this drink?

FV2: Yes, Niagra.

M: They're saying it really does... And you are legit... It's not just caffeine, you're horny.

FV2: Mancow, I swear on my life, this really turns me on.

M: Are you gonna... Are you gonna act like you did on that "Spring Break" video when you went down, down, down with that girl...

[Mancow plays the video. The audio portion of the video can be heard from the studio.]

[There is the sound of water splashing.]

Male voice on video: You better get in the water.

M: Here's a little video she didn't want us to find but the rest of American's seen it. "Girls Gone Wild At Mardi Gras"

Second Male voice on video: It's my turn.

Male voice: We want it down lower, lower...

Female voice on video: Here? Here?

M [over the audio portion of the video]: Here's Freak's Niece...

Male voice: No, we want it down. We want it here, here...

Female voice: Ready?

Male voice: Go deep.

Female voice: Get your mouth down there. Here it comes.

Male voice: Lower...

M: I love little whores like her. Young stupid little whores...

Male Voice: Now go deep. [Sound of cheering in the audio portion of the video]

M: There she is, her mouth is filled...

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EB-01-IH-0408

Radio Station: WKQX(FM), Chicago, Illinois  
Date/Time Broadcast: May 17, 2001, between 8:03 a.m and 8:49 a.m.  
Material Broadcast: Mancow's Morning Madhouse

Mancow - M

Doyle - D

Freak's Niece - F (a female member of the cast of *Mancow's Morning Madhouse*)

Girls - G

M: Let's go to Doyle, Doyle hello.

D: Hey Mancow, how are ya?

M: Good man, what can I do for you?

D: Well, uh, every time I bang my fiancée, I realize that I can't possibly get off unless I fantasize about ex-girlfriends or women I'd like to be with, and I just want your advice. I just want to know if you think this is innocent or if it's cheating. I mean you might want to hear some of my fantasies, and you can judge for yourself if I've got a problem here.

M: Okay, first of all, first of all, I want to tell everybody that this is a show done by adults for adults, uh, banging girlfriends and all of this. If we are going to have a serious conversation I'd like to make it somewhat medical. Freak's Niece is gathered in the lava lamp love lounge.

F: That's right Mancow.

M: We've got 35 girls, something like, sittin on beanbags.

F: Like 40 women just chilling on beanbags.

M: Doyle...

D: Okay, maybe I should rephrase it. Okay, when I'm reaming my bitch...

\*\*\*Girls say collectively, Oh no.

M: No, no, that is not appropriate, and I want to apologize to our listeners. Listen Freak's Niece....

\*\*\* \*\*\* \*\*\*

F: Janet Jackson's a size Queen, does size matter?

G: Yes....

F: I am so sick of hearing it doesn't, you know matter how...

G: The motion of the ocean.

F: Yeah, please, it doesn't matter how big it is, it matters how you use it baby, please – NO... no.

G: It does matter how big it is.

F: It does. What's the biggest you've ever?

G: Salami girth...

F: Italian salami?

G: Go girl!

G: A pro football player was huge.

F: How big was huge?

G: Um... a forearm.

F: Wow -- lucky you.

G: My forearm, I have small forearms.

F: Still lucky you.

G: I was dating a guy who was on the crew team for Yale, and let's just say an oar's width.

F: I think that girth is so very important because it just, you know... well, it just really feels very good. And it's important, I think, you know... just a nice size.

G: Subway submarine – all protein and no fat grams.

F: Wait I have a question. I have a question though. Don't you think that too big can be too big?

G: Yeah, it can be painful.

The straddle walk looking like a...

F: Yeah, that's not fun. That's not fun.

G: I don't think that size matters with back door sex though.

M: Okay, okay, alright. I'm going to shut it down here for a minute. Listen, we uh absolutely have to keep it clean. We're on the radio and again, if you're easily offended, please turn off the radio. We are having a serious conversation, and uh, hopefully medical terms about things of a sexual nature. Uh, certainly a relationship nature.

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F: Do any of you ladies do the two finger swirly?

G: Yeah, all the time.

I don't just use two fingers though.

I'm doing it now.

F: How often do you jill off?

G: Once a day at least. In the morning before I go to work.

F: Wow, good for you.

G: I'm maybe once a month.

I had three yesterday.

Before I go to bed for a good night's sleep

F: For a good night's sleep, yeah.

G: Couple times a day just depending on how busy my workload is

G: I think that it depends on if there is a guy in my life.

Or the lack of guy in my life.

G: Do you do it like in the office?

G: If there's a guy in my life, that really, and we're not like...it's the preliminaries. And I'll go home.

G: Yeah. Definitely.

G: The warm up.

It increases when you start dating somebody, and then it kind of decreases when you've been dating them for a while.

\*\*\* \*\*

F: What does stuff taste like? And you know what stuff I'm talking about. The stuff...

G: It depends on what the man eats. Warm salt butter.

It's his nutrition it really is.

Protein--

It's good for your hair.

F: It's good for your hair (laughs). Honey, will you condition my hair tonight?

G: I recently had a guy who was surprising sweet. Like I had never experienced it before. It was like sugar, like molasses.

F: Does he eat like a lot of oranges or...

G: He must be on some Vegan diet or...

Have you ever been with a guy who's eat'n like jalapeño peppers or something like that – really spicy, and you are like what, and it's just not right?

F: No, it's just pungent. Have you ever had the pungent one?

G: Oh definitely...

M: [Cuts off discussion] Okay, again it's a little um-hum...

F: Ladies, keep it clean

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M: Alright, next question.

F: Alright. Guys like apparent panty lines. Guys like apparent panty lines and camel toe. Do you know what camel toe is? It's when the big front... uh.

M: [Ahem, clears his throat]

G: It's uncomfortable, it hurts, it's hard to sit.  
If I was a guy, I wouldn't want to see panty lines

G: Yeah, panty lines are tacky.

[unintelligible] hanging out the side of them.

You would think that they wouldn't want to see panty lines because you know that means that you aren't wearing any underwear. If you can't see 'em.

G: That's the whole reason behind thongs, so that you know, I mean, thongs are sexy.  
Pants off.

G: When you take your pants off, and you have a thong on, you know that turns them on.  
Totally, when you take your pants off right from behind and that thong going down.  
Personally, I like the panties that have a little stuff missing down there... I'm not sure if I can say that here.

G: Crotchless.  
Yeah, yeah.

**Camel Toe Song**

[Sound effects of rubber being squeezed and twisted]

Guy: Oh-my-God, look at the clam on that bitch.

Song: She's got a crack in the back and a crack in the front, it's called camel toe/

Camel toe.

She's got a bulge like a man, but it's just her clam. Yeah it's camel toe.

Camel toe.

She's so... damn tight.

\*\*\*Music continues under